

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

CLAUDE LEE WOODS)	
)	CV. NO. 1:08-CV-98-MEF
v.)	CR. NO. 1:04-CR-12-MEF
)	
UNITED STATES OF AMERICA)	

GOVERNMENT'S MOTION TO EXTEND TIME TO RESPOND

Comes now the United States of America, by and through Leura G. Canary, United States Attorney for the Middle District of Alabama and, in response to the court order issued February 12, 2008, respectfully requests that the government be granted additional time to comply with the Court's Order. As grounds for said request the government offers the following:

The government is in receipt of the motion filed by Woods, the affidavits of attorney's Kevin L. Butler and Susan G. James, and the transcripts and records in this case. However, undersigned counsel has not had an opportunity to review the full record to adequately and appropriately respond to the claims of ineffective assistance of counsel, lodged by Woods.

The undersigned attorney states that she has, in the last 30 days, received numerous Orders from the Court requiring her immediate attention, has had to prepare for trial, has subsequently had to prepare for and appear at plea hearings, has been required to prepare for and appear at revocation hearings, and has, additionally, been out of the office on sick leave for a period of days.

The undersigned attorney also states, that upon review of the affidavit prepared by Ms. James and the ineffectiveness claim raised by Woods relating to counsel's failure to file a petition for certiorari review with the Supreme Court of the United States of America, Ms. James does not state

whether Woods' requested that she file said petition. The government would request additional time to allow Ms. James to review any records in her keeping relating to that issue and file an addendum to her filed affidavit.

The petitioner would suffer no prejudice should the Court grant this motion for extension of time to file.

Respectfully submitted this 12th day of March, 2008.

LEURA G. CANARY
UNITED STATES ATTORNEY

/s/ Susan R. Redmond
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CERTIFICATE OF SERVICE

I, Susan R. Redmond, Assistant United States Attorney, hereby certify that on February 12, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, and have served a copy of the foregoing on Claude Woods, prisoner number 11560-002, U.S.P. Big Sandy, P.O. Box 2068, Inez, KY 41224, by depositing a copy of same in the United States mail, first class, postage prepaid, and properly addressed to him on this the 12th day of March, 2008.

LEURA G. CANARY
UNITED STATES ATTORNEY

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